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the Secretary with a credible plan for the repayment of the material; and

(3) the contractor has agreed to pay interest (at a rate determined by the Secretary) for the period beginning on the date on which the uranium tetrafluoride is made available to the contractor and ending on the date on which the material is repaid to the United States.

10 USC 133 note. SEC. 1212. PROHIBITION OF CERTAIN RESTRICTIONS ON INSTITUTIONS ELIGIBLE TO PROVIDE EDUCATIONAL SERVICES

(a) No solicitation, contract, or agreement for the provision of off-duty postsecondary education services for members of the Armed Forces of the United States, civilian employees of the Department of Defense, or the dependents of such members or employees may discriminate against or preclude any accredited academic institution authorized to award one or more associate degrees from offering courses within its lawful scope of authority solely on the basis of such institution's lack of authority to award a baccalaureate degree.

(b) No solicitation, contract, or agreement for the provision of off-duty postsecondary education services for members of the Armed Forces of the United States, civilian employees of the Department of Defense, or the dependents of such members or employees, other than those for services at the graduate or postgraduate level, may limit the offering of such services or any group, category, or level of courses to a single academic institution. However, nothing in this section shall prohibit such actions taken in accordance with regulations of the Secretary of Defense which are uniform for all armed services as may be necessary to avoid unnecessary duplication of offerings, consistent with the purpose of this provision of ensuring the availability of alternative offerors of such services to the maximum extent feasible.

(c) This section shall apply to contracts entered into after April 1, 1985.

(d) Nothing in this section shall be construed to require more than one academic institution to be authorized to offer courses aboard a particular naval vessel.

(e)(1) The Comptroller General of the United States shall carry out a study to determine (A) the educational needs of members of the Armed Forces of the United States and civilian employees of the Department of Defense stationed outside the United States and the educational needs of the dependents of such members and employees, (B) the most effective and feasible means of meeting such needs, and (C) the cost of providing such means.

(2) Not later than September 1, 1986, the Comptroller General shall transmit to the Congress a report on the study required by subsection (1). The report shall include the Comptroller General's findings and such recommendations for legislation as the Comptroller General considers appropriate.

## PART B—PERSONNEL MANAGEMENT

### SEC. 1221. COUNTERINTELLIGENCE POLYGRAPH PROGRAM

(a) **IMPLEMENTATION OF PROGRAM.**—During fiscal years 1986 and 1987, the Secretary of Defense shall implement a program of counterintelligence polygraph examinations based upon Department of Defense Directive 5210.48, dated December 24, 1984, for military and civilian personnel of the Department of Defense and

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personnel of defense contractors whose duties involve access to classified information at the level of top secret or classified information within special access programs established under section 4.2(a) of Executive Order 12356.

(b) **LIMITATION DURING FISCAL YEARS 1986 AND 1987.**—The total number of persons required to take a counterintelligence polygraph examination under this section—

- (1) may not exceed 3,500 during fiscal year 1986; and
- (2) may not exceed 7,000 during fiscal year 1987.

3 CFR, 1982  
Comp., p. 166.

(c) **REPORTS.**—(1) Not later than December 31, 1985, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on his plans to expand the use of polygraph examinations in the Department of Defense. Such report shall include a discussion of the Secretary's plans for recruiting and training additional polygraph operators.

(2) Not later than December 31, 1986, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of polygraph examinations administered by or for the Department of Defense during fiscal year 1986. The report shall include—

- (A) the number of polygraph examinations conducted during such fiscal year;
- (B) a description of the purposes and results of such examinations;
- (C) a description of the criteria used for selecting programs and individuals for examinations;
- (D) the number of persons who refused to submit to an examination;
- (E) a description of the actions taken, including denial of clearance or any adverse action, when an individual either failed or refused to take the examination;
- (F) an explanation of the uses made of the results of the examinations; and
- (G) a detailed accounting of those cases in which more than two examinations were needed to attempt to resolve discrepancies.

(d) **POLYGRAPH RESEARCH PROGRAM.**—(1) The Secretary of Defense shall carry out a continuing research program to support the polygraph activities of the Department of Defense. The program shall include—

- (A) an on-going evaluation of the validity of polygraph techniques used by the Department;
- (B) research on polygraph countermeasures and anti-countermeasures; and
- (C) developmental research on polygraph techniques, instrumentation, and analytic methods.

(2) Not later than December 31 of each year, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on the results during the preceding fiscal year of the research program referred to in paragraph (1).

(3) There is authorized to be appropriated to the Department of Defense for fiscal year 1986 the sum of \$590,000 to carry out the research program referred to in paragraph (1).

(e) **NON-APPLICATION OF SECTION.**—This section does not apply—

Report.

(1) to an individual assigned or detailed to the Central Intelligence Agency or to any expert or consultant under a contract with the Central Intelligence Agency;

(2) to (A) an individual employed by or assigned or detailed to the National Security Agency, (B) an expert or consultant under contract to the National Security Agency, (C) an employee of a contractor of the National Security Agency, or (D) an individual applying for a position in the National Security Agency; or

(3) to an individual assigned to a space where sensitive cryptologic information is produced, processed, or stored.

#### SEC. 1222. REDUCTION IN SECURITY CLEARANCE BACKLOG

(a) **FINDING.**—The Congress finds that there are many persons with a security clearance at a level of top secret or above who have not been investigated for more than five years as a result of delays in the program of the Department of Defense for periodic reinvestigations of persons with clearance at such a level.

(b) **REDUCTION IN CLEARANCE BACKLOG.**—The Secretary of Defense shall take such action as may be necessary to achieve a substantial reduction in the backlog under such periodic-reinvestigation program by the end of fiscal year 1986. The Secretary should seek to obtain a 25-percent reduction in that backlog in fiscal year 1986.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for fiscal year 1986 for operation and maintenance of defense agencies \$25,000,000 which may be used only for the purpose of carrying out actions required by subsection (b).

(d) **REPORT.**—Not later than April 1, 1986, the Secretary shall submit to Congress a report on the level and manner of obligating the funds appropriated pursuant to the authorization in subsection (c) and on the level of reductions of the backlog achieved at the time of the report. Such report also shall include a description of resources and the funding level which would be needed in order to reduce by the end of fiscal year 1987 such backlog by 50 percent below the level of such backlog on the date of the enactment of this Act.

#### SEC. 1223. AUTHORITY FOR INDEPENDENT CRIMINAL INVESTIGATIONS BY NAVY AND AIR FORCE INVESTIGATIVE UNITS

The Secretary of the Navy shall prescribe regulations providing to the Naval Investigative Service authority to initiate and conduct criminal investigations on the authority of the Director of the Naval Investigative Service. The Secretary of the Air Force shall prescribe regulations providing to the Air Force Office of Special Investigations authority to initiate and conduct criminal investigations on the authority of the Commander of the Air Force Office of Special Investigations.

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#### SEC. 1224. ESTABLISHMENT OF MINIMUM DRINKING AGE ON MILITARY INSTALLATIONS

(a) **MINIMUM DRINKING AGE BASED ON STATE LAW.**—Section 2683 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(c)(1) Except as provided in paragraphs (2) and (3), the Secretary concerned shall establish and enforce as the minimum drinking age on a military installation located in a State the age established by the law of that State as the State minimum drinking age.

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